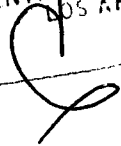


FILED

2012 NOV 30 AM 11:25  
CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES  
BY 

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SKYLINE VISTA EQUITIES,

Plaintiff,

vs.

GEROGINA OLIVARES-RADA, et al.,

Defendant.

CASE NO. CV 12-09170 UA (DUTYx)

ORDER SUMMARILY REMANDING  
IMPROPERLY-REMOVED ACTION

The Court will remand this unlawful detainer action to state court summarily because Defendant removed it improperly.

On October 24, 2012, Defendant, having been sued in what appears to be a routine unlawful detainer action in California state court, lodged a Notice Of Removal of that action to this Court and also presented an application to proceed in forma pauperis. The Court has denied the latter application under separate cover because the action was not properly removed. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

Simply stated, Plaintiff could not have brought this action in federal court in the first place, in that Defendants do not competently allege facts supplying either diversity or

1 federal-question jurisdiction, and therefore removal is improper. 28 U.S.C. § 1441(a); see  
2 Exxon Mobil Corp. v. Allapattah Svcs., Inc., 545 U.S. 546, 563, 125 S.Ct. 2611, 162  
3 L.Ed.2d 502 (2005). Defendant asserts that the parties are citizens of California (Notice  
4 at 2) and therefore diversity jurisdiction does not exist. See 28 U.S.C. §§ 1332, 1441(b).

5  
6 Nor does Plaintiff's unlawful detainer action raise any federal legal question. See  
7 28 U.S.C. §§ 1331, 1441(b).

8  
9 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the Superior  
10 Court of California, Los Angeles County, Stanley Mosk Courthouse, 111 North Hill Street,  
11 Los Angeles, CA 90012, for lack of subject matter jurisdiction pursuant to 28 U.S.C.  
12 § 1447(c); (2) that the Clerk send a certified copy of this Order to the state court; and (3)  
13 that the Clerk serve copies of this Order on the parties.

14  
15 IT IS SO ORDERED.

16 DATED: 11/27/12

17  
18   
19 \_\_\_\_\_  
20 GEORGE H. KING  
21 CHIEF UNITED STATES DISTRICT JUDGE  
22  
23  
24  
25  
26  
27  
28